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EXAMINER

VY, HUNG T

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/757,917	Applicant(s) SNOW ET AL.	
	Examiner HUNG T. VY	Art Unit 2163	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period **will** apply and **will** expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply **will**, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                      |                                                                   |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____                                                          | 6) <input type="checkbox"/> Other: _____                          |

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### DETAILED ACTION

1. As of entry of the Applicant's amendment and RCE filed on 11/17/2008, claims 1-17 are pending in this application. Upon reconsideration, Applicant's arguments with respect to amendment claims 1-17 have been considered and are not persuasive. (See Response Applicant's arguments below).

### Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 5-6, 12 and 16-17 are rejected under 35 U. S. C. § 102 (e) as being anticipated by Williams et al. (U.S. pub. US 2003/0055812A1).

**Regarding claim 1**, Williams et al. discloses a method of assisting (*i.e.*, “Repair faculties can use the vehicle parts monitoring system to review the repair procedure for the vehicle that they are repairing” (0021)) in correct diagnosis of a problem (*i.e.*, “a user or repair person can insert their own notes in the vehicle part monitoring system 100 in a form that follows the vehicle by typing in their notes in a pop-up menu generated by selecting the my notes icon” (0071) and Examiner asserts that the repair person when they repair the car, they will enter the note (hint) that associates with the problem and the part (*i.e.*, “contain the most detailed repair/replacement notes that may be encountered” (0072)) exhibited by a product having at least one component part (*i.e.*, “Another input maybe that the engine was repaired with the part provided by a certain service center, with **this part number**, on a certain data” (0072)), the method comprising: inputting a

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description of the problem (i.e., “The user **inserts data in the my notes column 399** that is sufficiently large to contain the most **detailed repair/replacement notes that may be encountered**” (0072)) a part identifier for the at least one component part (i.e., “the vehicle system/group category table and the unique vehicle part identifier table is linked to the vehicle part category table” (0011)), a description of the at least one component part (i.e., “The part/detailed description column 380 contains a more detailed description of each part contained in the relation database part” (0056) or “would retain the descriptions of significant repair” (0075)), a product identifier (i.e., “productID” (502a)(fig. 5)), and at least one hint for assisting in diagnosing the problem (Examiner asserts that the repair person when they repair the car, they will enter the note (hint) that associates with the problem and the part (i.e., “contain the most detailed repair/replacement notes that may be encountered” (0072))), wherein the at least one hint includes a file that includes a suggestion from an engineering group for resolving at least one of a failure mode of the at least one component part and a repair related to the at least one component part (i.e., “such industry notes 398 may indicate, e.g., common difficulties with a particular part, and other information that may be of use to the user of the vehicle parts monitoring system” (0070) or “a user or repair person can inset their own notes in the vehicle part by typing in their notes in a pop-up menu” (0071) or “detailed repair/replacement notes” (0072) and Examiner asserts that “repair person” or “industry notes” are equivalent with “engineering group” of claimed invention and “detailed repair/replacement notes” is equivalent with suggest for a failure mode of one part of claim invention ),

generating a hint file in the database (i.e., “The vehicle parts monitoring system includes parts data, parts specifications, parts assembly drawings, parts assembly notes, and other such information in digital formation” (0032) and Examiner asserts that “notes”, “information” are equivalent with the limitation “hint” of claimed invention) and associating it with the at least one component part (i.e., “if a particular user is searching for all the assembly notes that relate to a part such as a tie rod, the user can search for the term “tie rod” suing the vehicle parts monitor system 100” (0033)) ; and

downloading the hint file to a parts ordering system and a parts catalog system (i.e., "the industry reference number column 394 is **automatically updated** to reflect the last new part number or the regular production option ....the superseded information has to be **updated constantly**" (0059) and "the user can be provided with access to a remote network server that is continually updated, as appropriate" (0079), Examiner asserts that "the system parts monitoring system 100" can be used by another user (i.e., "the entire body of **manufacturing by data** is therefore **available to the users, owners, service personal, or/or manufactures**" (0028) or user in the ordering system and parts catalog system (i.e., "the vehicle parts monitoring system can also **be used** as a toll to reverse-engineer/catalog a large number of parts as h own in the embodiment of assembly parts monitoring system shown in fig. 4" (0091) and before using "the vehicle parts monitoring system" or "**prior to a request**", the user had to "load the all information from the CD" or "accessed from a server over the internet"(0091) to download, therefore, "the hint file" (all information in "the vehicle parts monitoring system" has been load before the user uses and its **always automatically updates** (0059) ) in association with the part identifier (i.e., "The information is actually **stored in the records** in the memory 106. Records for accessing **catalog database** tend to be long" (0089)) prior to a request to order to at least one part or an inquiry for the part is made (i.e., "the GUI display window 114 to access information about the particular part (0089)) to the parts catalog system so that whenever a request to order the at least one part is entered into the parts ordering system or an inquiry for the part is made to the parts catalog system (i.e., "if a user runs over the part/detail description column 380 in the first row displayed over the vehicle monitoring system (i.e., the pedal bolt) a drop -down window 612 would appear below the parts/detailed description filed 610 as show in FIG. 6A"(0064) and Examiner assert that when the user uses the "the vehicle monitoring system"(is equivalent with "part catalog system" as claimed invention) to "inquiry for the part"), the hint will be displayed (i.e., "display...a drop down window 612 would appear below the parts/detailed description filed 610" (0064) and Examiner asserts that "the parts/detailed description filed 610" is equivalent with the limitation "hint" as claimed invention or "if a user double clicks on the industry notes column 398 for particular part, e.g., on the icon 630

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displayed 3 and 6E, the industry notes **display pop up window** would appear as illustrated in fig. 6E" (0051) and Examiner asserts that "the industry notes" is equivalent with the limitation "hint" as claimed invention).

**Regarding claim 5**, Williams et al. discloses wherein the displayed hint alerts a viewer that the problem will not be solved by replacement of at least one component (i.e., "the owner or repair person would note these details when placing a repairing these individual parts. The individual notes are displayed in the industry nodes display 634" (0052) and Examiner asserts that the pop-up display "4 needed-2 each side").

**Regarding claim 6**, Williams et al. discloses wherein the displayed hint presents a suggested solution to the problem (i.e., "industry notes: 4 needed - 2 each side" (634) (Fig. 6E)).

**With respect to claim 12**, William et al. discloses an arrangement for assisting ((i.e., "Repair faculties can use the vehicle parts monitoring system to review the repair procedure for the vehicle that they are repairing" (0021)) in correct diagnosis of a problem (i.e., "a user or repair person can insert their own notes in the vehicle part monitoring system 100 in a form that follows the vehicle by typing in their notes in a pop-up menu generated by selecting the my notes icon" (0071) and Examiner asserts that the repair person when they repair the car, they will enter the note (hint) that associates with the problem and the part (i.e., "contain the most detailed repair/replacement notes that may be encountered" (0072)) exhibited by a product having at least one component part (i.e., "Another input maybe that the engine was repaired with the part provided by a certain service center, with **this part number**, on a certain data" (0072), the arrangement comprising:

a database and associated database engine (i.e., "the repair shop or owner could print out an original/replaced/repared parts list based on data stored in the relational database" (0075) or "searching for parts is time consuming and require considerable cross-referencing for electronic databases" (0088)) adapted to communicate (see fig. 2) with a plurality of organizations (i.e., "A user can go to a dealership and by a part" (0084)) within an entity responsible for distributing the at least one component part to

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product customers (i.e., *"The user can order parts from the original manufacture. Links to alternative suppliers of the selected part can also be provided in certain embodiments within the billboard window 118"*) (0092)),

a parts ordering system (i.e., *"the user may wish to order several parts"* (0054)) and a parts communication catalog system (i.e., *"A user cannot find engineering comments in part catalogs or tat parts suppliers (e.g., Pep Boys)"* (0084)) coupled for with the database and with at least one parts and service providing entity for the product (fig. 2),

wherein the database is operative to receive from at least one of the plurality of organizations a description of the problem (i.e., *"The user **inserts data** in the my notes column 399 that is sufficiently large to contain the most **detailed repair/replacement** notes that may be encountered"* (0072)), a part identifier for the at least one component part (i.e., *"if a particular user is searching for all the assembly notes that relate to a part such as a tie rod, the user can search for the term "tie rod" suing the vehicle parts monitor system 100"* (0033)), a product identifier (i.e., *"productID"* (502a)(fig. 5)), and at least one hint for is operative to receive from at least one of assisting in diagnosing the problem (Examiner asserts that the repair person when they repair the car, they will enter the note (hint) that associates with the problem and the part (i.e., *"contain the most detailed repair/replacement notes that may be encountered"* (0072))), to generate a hint file in the database (i.e., *"The vehicle parts monitoring system includes parts data, parts specifications, parts assembly drawings, parts assembly notes, and other such information in digital formation"* (0032) and Examiner asserts that *"notes", "information" are equivalent with the limitation "hint" of claimed invention*), associated with the at least one component part (i.e., *"if a particular user is searching for all the assembly notes that relate to a part such as a tie rod, the user can search for the term "tie rod" suing the vehicle parts monitor system 100"* (0033)), and to download the hint file to the parts ordering system and the parts catalog system prior to receiving a request or an inquiry for the at least one component (i.e., *"the industry reference number column 394 is **automatically updated** to reflect the last new part number or the regular*

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production option ....the superseded information has to be **updated constantly**" (0059) and "the user can be provided with access to a remote network server that is continually updated, as appropriate" (0079), Examiner asserts that "the system parts monitoring system 100" can be used by another user (i.e., "the entire body of **manufacturing by data** is therefore **available to the users, owners, service personal, or/or manufactures**" (0028) or user in the ordering system and parts catalog system (i.e., "the vehicle parts monitoring system can also **be used** as a toll to reverse-engineer/catalog a large number of parts as h own in the embodiment of assembly parts monitoring system shown in fig. 4" (0091) and before using "the vehicle parts monitoring system" or "**prior to a request**", the user had to "load the all information from the CD" or "accessed from a server over the internet"(0091) to download, therefore, "the hint file" (all information in "the vehicle parts monitoring system" has been load before the user uses and its **always automatically updates** (0059) ); and wherein the at lest one hint includes a file that includes a suggestion from an engineering group for resolving at least one of a failure mode of the at least one component part and a repair related to the at least one component part (i.e., "such industry notes 398 may indicate, e.g., common difficulties with a particular part, and other information that may be of use to the user of the vehicle parts monitoring system" (0070) or "a user or repair person can inset their own notes in the vehicle part by typing in their notes in a pop-up menu" (0071) or "detailed repair/replacement notes" (0072) and Examiner asserts that "repair person" or "industry notes" are equivalent with "engineering group" of claimed invention and "detailed repair/replacement notes" is equivalent with suggest for a failure mode of one part of claim invention ) ,

wherein the part to order system and the parts catalog system are operative upon receiving said request or said inquiry for the at least one component from the at least one parts (i.e., "if a user runs over the part/detail description column 380 in the first row displayed over the vehicle monitoring system (i.e., the pedal bolt) a drop -down window 612 would appear below the parts/detailed description filed 610 as show in FIG. 6A"(0064) and Examiner assert that when the user uses the "the vehicle monitoring system"(is equivalent with "part catalog system" as claimed invention) to "inquiry for the part") and service providing entity to display the hint to the at least one parts and service providing entity (i.e.,



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*“display...a drop down window 612 would appear below the parts/detailed description filed 610” (0064) and Examiner asserts that “the parts/detailed description filed 610” is equivalent with the limitation “hint” as claimed invention or “if a user double clicks on the industry notes column 398 for particular part, e.g., on the icon 630 displayed 3 and 6E, the industry notes **display pop up window** would appear as illustrated in fig. 6E” (0051) and Examiner asserts that “the industry notes” is equivalent with the limitation “hint” as claimed invention).*

**Regarding claim 16**, Williams et al. discloses wherein the displayed hint alerts a viewer that the problem will not be solved by replacement of at least one component (*i.e.*, *“the owner or repair person would note these details when placing a repairing these individual parts. The individual notes are displayed in the industry nodes display 634” (0052) and Examiner asserts that the pop-up display “4 needed-2 each side”*).

**Regarding claim 17**, Williams et al. discloses wherein the displayed hint presents a suggested solution to the problem (*i.e.*, *“industry notes: 4 needed - 2 each side” (634) (Fig. 6E)*).

### **Claim Rejections - 35 U.S.C. § 103**

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

a. Claim 2-4, 7, 10-11, 13-14 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Williams et al. (U.S. pub. US 2003/0055812A1) in view of Squeglia et al. (U.S. pub. US 20020156692A1).

**Regarding claim 7**, Williams et al. discloses Williams et al. discloses a method of assisting (*i.e.*, *“Repair faculties can use the vehicle parts monitoring system to review the repair procedure for the*

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vehicle that they are repairing" (0021)) in correct diagnosis of a problem (i.e., "a user or repair person can insert their own notes in the vehicle part monitoring system 100 in a form that follows the vehicle by typing in their notes in a pop-up menu generated by selecting the my notes icon" (0071) and Examiner asserts that the repair person when they repair the car, they will enter the note (hint) that associates with the problem and the part (i.e., "contain the most detailed repair/replacement notes that may be encountered" (0072)) exhibited by a product having at least one component part (i.e., "Another input maybe that the engine was repaired with the part provided by a certain service center, with **this part number**, on a certain data" (0072)), the method comprising: inputting a description of the problem (i.e., "The user **inserts data** in the my notes column 399 that is sufficiently large to contain the most **detailed repair/replacement** notes that may be encountered" (0072)) a part identifier for the at least one component part (i.e., "the vehicle system/group category table and the unique vehicle part identifier table is linked to the vehicle part category table" (0011)), a description of the at least one component part (i.e., "The part/detailed description column 380 contains a more detailed description of each part contained in the relation database part" (0056) or "would retain the descriptions of significant repair" (0075)), a product identifier (i.e., "productID" (502a)(fig. 5)), and at least one hint for assisting in diagnosing the problem (Examiner asserts that the repair person when they repair the car, they will enter the note (hint) that associates with the problem and the part (i.e., "contain the most detailed repair/replacement notes that may be encountered" (0072))),

generating a hint file in the database (i.e., "The vehicle parts monitoring system includes parts data, parts specifications, parts assembly drawings, parts assembly notes, and other such information in digital formation" (0032) and Examiner asserts that "notes", "information" are equivalent with the limitation "hint" of claimed invention) and associating it with the at least one component part (i.e., "if a particular user is searching for all the assembly notes that relate to a part such as a tie rod, the user can search for the term "tie rod" suing the vehicle parts monitor system 100" (0033)) wherein the at least one hint includes a file that includes a suggestion for resolving at least one of a failure mode of the at least one component

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part and a repair related to the at least one component part (i.e., "such industry notes 398 may indicate, e.g., common difficulties with a particular part, and other information that may be of use to the user of the vehicle parts monitoring system" (0070) or "a user or repair person can inset their own notes in the vehicle part by typing in their notes in a pop-up menu" (0071) or "detailed repair/replacement notes" (0072) and Examiner asserts that "repair person" or "industry notes" are equivalent with "engineering group" of claimed invention and "detailed repair/replacement notes" is equivalent with suggest for a failure mode of one part of claim invention ); and

downloading the hint file to a parts ordering system and a parts catalog system (i.e., "the industry reference number column 394 is **automatically updated** to reflect the last new part number or the regular production option ....the superseded information has to be **updated constantly**" (0059) and "the user can be provided with access to a remote network server that is continually updated, as appropriate" (0079), Examiner asserts that "the system parts monitoring system 100" can be used by another user (i.e., "the entire body of **manufacturing by data** is therefore available to the users, owners, service personal, or/or manufactures" (0028) or user in the ordering system and parts catalog system (i.e., "the vehicle parts monitoring system can also be used as a toll to reverse-engineer/catalog a large number of parts as h own in the embodiment of assembly parts monitoring system shown in fig. 4" (0091) and before using "the vehicle parts monitoring system" or "**prior to a request**", the user had to "load the all information from the CD" or "accessed from a server over the internet"(0091) to download, therefore, "the hint file" (all information in "the vehicle parts monitoring system" has been load before the user uses and its **always automatically updates** (0059) ) in association with the part identifier (i.e., "The information is actually **stored in the records** in the memory 106. Records for accessing **catalog database** tend to be long" (0089)) prior to a request to order to at least one part or an inquiry for the part is made (i.e., "the GUI display window 114 to access information about the particular part (0089)) to the parts catalog system so that whenever a request to order the at least one part is entered into the parts ordering system or an inquiry for the part is made to the parts catalog system (i.e., "if a user runs over the part/detail description column 380 in the first row displayed over the vehicle monitoring system (i.e., the pedal bolt) a drop -down window 612 would appear below the parts/detailed description filed 610 as show

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*in FIG. 6A"(0064) and Examiner assert that when the user uses the "the vehicle monitoring system"(is equivalent with "part catalog system" as claimed invention) to "inquiry for the part"), the hint will be displayed (i.e., "display...a drop down window 612 would appear below the parts/detailed description filed 610" (0064) and Examiner asserts that "the parts/detailed description filed 610" is equivalent with the limitation "hint" as claimed invention or "if a user double clicks on the industry notes column 398 for particular part, e.g., on the icon 630 displayed 3 and 6E, the industry notes **display pop up window** would appear as illustrated in fig. 6E" (0051) and Examiner asserts that "the industry notes" is equivalent with the limitation "hint" as claimed invention).*

But Williams et al. does not explicitly discloses forwarding the hint file to an authorized vehicle platform team; refining the hint file in accordance with input from the authorized vehicle platform team; forward the refined hint file to an approval organization for review, further refinement if necessary, and approval, resulting in an approved hint file.

However, Squeglia et al. discloses forwarding the hint file to an authorized vehicle platform team (i.e., "a recommendation authorizing system 182" (0061));

refining the hint file in accordance with input from the authorized vehicle platform team (i.e., "The recommendation can include suggested trouble shooting actions to further refine the repair recommendation. suggested repairs based on operational and/or failure information the repair technician, or planned maintenance actions, or field modification or upgrades" (0034)).

forwarding the refined hint file to an approval organization for review (i.e., "if the software version is not compatible with other hardware or software components of the locomotive 12, approval for integration will not be granted" (0041) and Examiner asserts that an approval organization proceeding to download only after the portal or a specific locomotive has compatible hardware or software (0040)), further refinement if necessary, and approval, resulting in an approved hint file (i.e., "Diagnosis information can be returned to the MDSC 20 in real time via the portable unit 14 for further analysis in the development and refinement of a repair recommendation" (0034) ); and

It would have been to one of ordinary skill in art at the time the invention was made to implement Williams et al. et al. 's system with forwarding the hint file to an authorized vehicle platform team, refining the hint file (notes or any information's) in accordance with input from the authorized vehicle platform team, forward the refined hint file to an approval organization for review, further refinement if necessary, and approval, resulting in an approved hint file in order to help user or technical to get correct diagnosis with exactly hint by the experienced technician, therefore, the user can give various technologies variable for more efficiently predicting and performing the repair for the stated purpose has been well know in the art as evidenced by teaching of Squeglia et al. (see 0003-0007). Further, the notes, the information and data are refined by the experienced technician and are downloaded, installed the information to "the vehicle parts and monitoring system" with give the user having the system with more accurate hints, note and information about the problem of particular part.

**Regarding claim 2**, Squeglia et al. discloses further comprising prior to the downloading of the hint file: forwarding the hind file (*i.e.*, "*the diagnosis*" (0061)) to an authorized product team (*i.e.*, "*a recommendation authorizing system 182*" (0061)); and refining (*i.e.*, "*The recommendation can include suggested trouble shooting actions to further refine the repair recommendation*" (0034)) the hint file in accordance with inputs from the authorized product team (*i.e.*, "*suggested repairs based on operational and/or failure information the repair technician, or planned maintenance actions, or field modification or upgrades*" (0034)) (The motivation is the same as claim 7).

**Regarding claim 3**, Squeglia et al. discloses further comprising prior to downloading (*i.e.*, "*validates software application prior to loading into a specific locomotive 12*" (0041)) the hint file: for forwarding the hind (*i.e.*, "*a diagnosis or repair*" (0040)) file to an approval organization (54)(*i.e.*, "*if the software version is not compatible with other hardware or software components of the locomotive 12, approval*

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*for integration will not be granted” (0041) and Examiner asserts that an approval organization proceeding to download only after the portal or a specific locomotive has compatible hardware or software (0040)); and proceeding to download (i.e., “downloads repair recommendations generated by analysis software” (0026)) only after approval (i.e., “validates software application prior to loading into a specific locomotive 12” (0041)) of the hint file (i.e., “a diagnosis or repair” (0040)) by the approval organization (i.e., “validates software application prior to loading into a specific locomotive 12” (0041)) (The motivation is the same as claim 7).*

**Regarding claim 4**, Squeglia et al. discloses further comprising prior to downloading (i.e., “validates software application prior to loading into a specific locomotive 12” (0041)) the hint file: for forwarding the hind (i.e., “a diagnosis or repair” (0040)) file to an approval organization (54)(i.e., “if the software version is not compatible with other hardware or software components of the locomotive 12, approval for integration will not be granted” (0041) and Examiner asserts that an approval organization proceeding to download only after the portal or a specific locomotive has compatible hardware or software (0040)); and proceeding to download (i.e., “downloads repair recommendations generated by analysis software” (0026)) only after approval (i.e., “validates software application prior to loading into a specific locomotive 12” (0041)) of the hint file (i.e., “a diagnosis or repair” (0040)) by the approval organization (i.e., “validates software application prior to loading into a specific locomotive 12” (0041)) (The motivation is the same as claim 7).

**Regarding claim 10**, Williams et al. discloses wherein the displayed hint alerts a viewer that the problem will not be solved by replacement of at least one component (i.e., “the owner or repair person would note these details when placing a repairing these individual parts. The individual notes are displayed in the industry nodes display 634” (0052) and Examiner asserts that the pop-up display “4 needed-2 each side”).

**Regarding claim 11**, Squeglia et al. discloses wherein the displayed (i.e., “assistance to the technician via the portable unit 14” (0026)) hint presents a suggested solution to the problem (i.e.,

*“Problem resolution suggestions and repair actions can be created prior to access by the repair technician or they can be authored in real time by experts at the monitoring and diagnostic service center” (0026))* (The motivation is the same as claim 7).

**With respect to claim 13**, Squeglia et al. discloses the plurality of organizations include a team of specialists for the product (*i.e.*, *“the repair expert 142 in formulating the repair recommendation” (0066)*), wherein the database engine (*i.e.*, *“various exemplary databases and the module system” (0031)*) is further operative to forward the hint file to the team for refining the file (*i.e.*, *“The recommendation can include suggested trouble shooting actions to further refine the repair recommendation” (0034)*) (The motivation is the same as claim 7).

**With respect to claim 14**, Squeglia et al. discloses wherein the plurality of organizations includes an approval organization (*i.e.*, *“if the software version is not compatible with other hardware or software components of the locomotive 12, approval for integration will not be granted” (0041)* and Examiner asserts that an approval organization proceeding to download only after the portal or a specific locomotive has compatible hardware or software (0040)); and wherein the database engine (*i.e.*, *“various exemplary databases and the module system” (0031)*) is further operative to inhibit downloading of the hint file until receipt of approval from the approval organization (*i.e.*, *“validates software application prior to loading into a specific locomotive 12” (0041)*) (The motivation is the same as claim 7).

b. Claim 9 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Squeglia et al. (U.S. pub. US 20020156692A1) and Williams et al. (U.S. pub. US 2003/0055812A1) and further in view of Demetriades et al. (U.S. Pub. No. 2004/0010578).

**Regarding claim 9**, William et al. and Squeglia et al. disclose all limitation claimed invention recited in claim 7 excepted for translation service. However, Demetriades et al.

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discloses the translation service (see paragraph 0161). It would have been to one of ordinary skill in art at the time the invention was made to implement William et al. and Squeglia et al.'s system with the translation service in order to have different kind of country can have service with the same system and making the system more useful since such an arrangement with translation service for the stated purpose has been well know in the art as evidenced by teaching of Demetriades et al. (see paragraph 0161).

- c. Claims 8 and 15 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Williams et al. (U.S. pub. US 2003/0055812A1) and Squeglia et al. (U.S. pub. US 20020156692A1) and further in view of Griffiths (U.S. Pub. No. 2002/0116316).

**Regarding claims 8 and 15**, Squeglia et al. and William et al. disclose all limitation claimed invention recited in claims 7 and 12 excepted for preventing a completion of placing an order to the at least one part until a requester enters an acknowledgement to the parts ordering system acknowledging that the hint has been displayed. However, Griffiths discloses preventing a completion of placing an order to the at least one part until a requester enters an acknowledgement to the parts ordering system acknowledging that the hint has been displayed (i.e., "listing registration system 402 can interface with existing users of an auction system 104 and can present them with additional contractual ~~obligations~~ that may need to be ~~entered into in order to allow their listing to be placed~~ on other auction systems" (0042) and Examiner asserts that "to allow the listing" is the same limitation "completion placing an order for the at least one part" and "additional contractual obligations" is equivalent with limitation of "enters an acknowledgement" of claimed invention). It would have been to one of ordinary skill in art at the time the invention was made to implement William et al. and Squeglia et al.'s system with created condition before to place order in order to make sure that user places an order with the accurate part and while preventing the lot from inadvertently being awarded to



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two different bidders (user placing an order) since such an arrangement with condition for the stated purpose has been well known in the art as evidenced by teaching of Griffiths (0042).

### **Response to Arguments**

4. Applicant's arguments with respect to claims 1-17 filed on 12/11/2007 have been considered but are not persuasive.

The Applicant's argued following:

a. *"With respect to claim 1, Williams does not show, teach or suggest generating a hint file in a database...a repair related to the at least one component part, which clearly differs from database access, as in Williams" pages 8-9.*

#### **Examiner's remarks:**

Examiner does not agree with Applicant's argument such as "Williams does not show, teach or suggest a hint including a suggestion from an engineering group for resolving at least one of a failure mode of the at least one component part and a repair related to the at least one component part" since William discloses wherein the at least one hint includes a file that includes a suggestion from an engineering group for resolving at least one of a failure mode of the at least one component part and a repair related to the at least one component part (*i.e., "such industry notes 398 may indicate, e.g., common difficulties with a particular part, and other information that may be of use to the user of the vehicle parts monitoring system" (0070) or "a user or repair person can inset their own notes in the vehicle part by typing in their notes in a pop-up menu" (0071) or "detailed repair/replacement notes" (0072) and Examiner asserts that "repair person" or "industry notes" are equivalent with "engineering group" of claimed invention and "detailed repair/replacement notes" is equivalent with suggest for a failure mode of one part of claim invention*) and generating a hint file in a database and associating the hint file at least one component part or downloading the hint filed to a parts ordering system and a parts catalog

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system (see rejection above). Further, Applicant argued that "notes" and "information" of Williams are not hints but based on the dictionary <sup>1</sup> defines hint such an "indirect or summary suggestion" or "slight indication of the existence" and William discloses "*contain the most detained repair/replacement notes that may be encountered*" (0072) or "*parts assembly notes, and other such information in digital format*" (0032). Therefore, repair/replacement notes or parts assembly notes and other such information are hint since the notes provide the suggestion or helping the user with useful information. The notes (parts assembly, repair/replacement) for detailed repair or replacement notes or common difficulties with a particular part in the database are hint for suggestion for solution to the problem associated with for particular part.

b. "Further, the hint file, as in claim 1, is continuously updated to a parts ordering/catalog system by, for example, downloading the hint file to the parts ordering...Claims 1, 7, and 12 and are allowable for at least similar reasons" pages 9-10.

**Examiner's remarks:**

The Applicant's argument about the notes/information are not continuously updated are not persuasive since Williams discloses the hint file in claim (the hint files in the accessing database) is continuously update. For particular, the Applicant admitted on page 3 that "*notes/information, as in Williams, merely correspond to a "may notes column" in which a vehicle owner or technician **may save notes** on repairs/replacements made to a vehicle*". The technician may save note on repairs/replacements means the update. Further, the claim does not support for Applicant's arguments since the claims do not recite "continuously updated" and eventhought William discloses "automatically updated" or "updated constantly" (0059). The

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<sup>1</sup> Merriam-Webster's Collegiate dictionary- Tenth edition

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notes/ informations of Williams can be maintenance as logbook as Applicant's admitted on page 3 and can be called "hint file" and are accessed by user, technical or sale people (*i.e.*, "*a user can access information from the tabular database*" (*abstract*) and Examiner asserts that "*the tabular database*" is included "*notes/informations*"). Therefore, claim 1 is not patentable.

c. "Claims 2-4, 7, 10-11, 13-14 stand rejected under 35 U.S.C 103 (a) as being unpatentable over William in view of Squeglia et al. ...claim 2 is believed to be allowable for at least this additional reason" pages 10-11.

**Examiner's remarks:**

Examiner does not agree with Applicant's argument about the "forwarding a hint file to an authorized product team for refinement" since the claim recites "forwarding the hint file to an authorized product team" and the claims do not recite "a team of experts" as Applicant's argument and Squeglia discloses forwarding the hint file to an authorized product team (*i.e.*, "*a recommendation authorizing system 182 provides the functionality for authorizing general repair recommendations and instantiating specific recommendations for a locomotive...selects only that information needed for a specific repair*" (0062) or "*the technician is able to choose the order in which the inspection is conducted only*" (0037) or "*the appropriate inspection procedures*" (0036) or "*a monitoring board providing information on the status of the various in process repairs*" (0089)) and the limitation "*authorized product team*" is interpreted in broadest term and can be any peoples or system have authorized to approve or select the hint or recommendation file. Therefore, "a recommendation authorizing system", "technician inspects procedures", or "a monitoring board" or "stagnant software" (Applicant's admitted) can be "authorized product team" to approve, select, inspection the hint or recommendation. Therefore, claims 2-4 and 13-14 are not patentable.

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### **Conclusion**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung T. Vy whose telephone number is (571) 2721954. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don K. Wong can be reached on (571) 2721934. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hung T Vy/  
Primary Examiner, Art Unit 2163  
January 09, 2009.

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